

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

SEAN P. WALSH,

Plaintiff,

-vs-

AT&T CORPORATION,

Defendant.

: CASE NO. 1:05 CV 0769

: ORDER

UNITED STATES DISTRICT JUDGE LESLEY WELLS

Two motions are currently before the Court in this matter. First, plaintiff Sean Walsh asks the Court to strike the defendant's motion for summary judgment or in the alternative to allow Mr. Walsh to file an opposition brief in excess of the page limit stipulated by the Local Rules. (Docket No. 34). Second, defendant AT&T asks the Court to retroactively apply a request to exceed the page limit set out in LR 7.1(f) as applied to AT&T's 29 June 2006 motion for summary judgment. (Docket No. 35).

For reasons of judicial economy the Court adheres strictly to the page limits laid out in LR 7.1(f), which in this instance directs a limit of 20 pages for a dispositive motion:

7.1(f) Length of Memoranda. Without prior approval of the Judicial Officer for good cause shown, memoranda relating to dispositive motions must not exceed ten (10) pages in length for expedited cases, twenty (20) pages for administrative, standard and unassigned cases, thirty (30) pages for complex cases, and forty (40) pages for mass tort cases. Every memorandum related to a dispositive motion must be accompanied by a certification specifying the track, if any, to which the case has been

assigned and a statement certifying that the memorandum adheres to the page limitations set forth in this section. In the event that the page limitations have been modified by order of the Judicial Officer, a statement to that effect must be included in the certification along with a statement that the memorandum complies with those modifications. Failure to comply with these provisions may be sanctionable at the discretion of the Judicial Officer. Memoranda relating to all other motions must not exceed fifteen (15) pages in length. All memoranda exceeding fifteen (15) pages in length, excepting those in Social Security reviews, must have a table of contents, a table of authorities cited, a brief statement of the issue(s) to be decided, and a summary of the argument presented. Appendices of evidentiary, statutory or other materials are excluded from these page limitations and may be bound separately from memoranda.

Local Rule 7.1(f). Upon review of the motions, the Court is not persuaded that defendant has established good cause to exceed the page limit set for this standard track matter.

Accordingly, the Court grants Mr. Walsh's motion to strike and denies AT&T motion to exceed, and hereby strikes the defendant's 29 June 2006 summary judgment motion for violating LR 7.1(f). (Docket No. 32). AT&T may resubmit its summary judgment motion in compliance with LR 7.1(f) if done so on or before 7 August 2006. Mr. Walsh will have until 17 August 2006 to respond to any resubmitted summary judgment motion from AT&T. To clarify LR 7.1(f), the twenty-page limit shall include the body of the memoranda, a brief statement of the issues to be decided and a summary of the argument presented; that limit does not encompass the required table of contents or the table of authorities cited. Standard formatting and type shall be expected.

IT IS SO ORDERED.

/s/Lesley Wells
UNITED STATES DISTRICT JUDGE

Dated: 28 July 2006